

United States District Court
For the Northern District of California

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

RONNIE KOEHLER,) No. C 12-01871 EJD (PR)
Plaintiff,) ORDER OF DISMISSAL
vs.)
STATE OF CALIFORNIA,)
Defendant.)
_____)

On April 16, 2012, Plaintiff, who is currently incarcerated at the California Men's Colony State Prison in San Luis Obispo, filed a motion for D.N.A. testing which the Clerk construed as an intent to file a civil rights action under 42 U.S.C. § 1983. Plaintiff did not apply for leave to proceed in forma pauperis ("IFP") or pay the filing fee, so on April 16, 2012, the Clerk of the Court sent Plaintiff a notice that he must either pay the full filing fee or file an IFP application within thirty days or the case would be dismissed. (Docket No. 2.) Along with the notice, Plaintiff was mailed the Court's IFP application, instructions for completing such an application, including a Certificate of Funds form to be completed and signed by a prison official, and a return envelope. (Id.)

On May 21, 2012, Plaintiff filed a letter stating that he did not initiate this

United States District Court

For the Northern District of California

1 action, and requesting a copy of the papers which were allegedly fraudulently filed
2 on his behalf. (Docket No. 3.) On June 6, 2012, the Clerk sent Plaintiff a copy of
3 the papers which opened this action, and also a notice advising Plaintiff that he must
4 file a complaint within thirty days to avoid dismissal of the action; the Clerk
5 included a copy of the court's form complaint. (See Docket No. 4.)

6 The deadline has since passed, and Plaintiff has not complied to either of the
7 Clerk's notices. Accordingly, this case is DISMISSED without prejudice for failure
8 to pay the filing fee. The Clerk shall terminate any pending motions and close the
9 file.

10
11 DATED: 7/19/2012


EDWARD J. DAVILA
United States District Judge

21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

RONNIE KOEHLER,

Case Number: CV12-01871 EJD

Plaintiff,

CERTIFICATE OF SERVICE

v.

STATE OF CALIFORNIA,

Defendant.

/

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on 7/20/2012, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Ronnie Koehler C-49558, A-1362
California Men's Colony State Prison
P. O. Box 8101
San Luis Obispo, CA 93409-8101

Dated: 7/20/2012

Richard W. Wieking, Clerk
/s/ By: Elizabeth Garcia, Deputy Clerk